



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/534,107

11/22/2006

Bernhard Mattes

10191/3851

5194

26646 7590 06/22/2009

KENYON & KENYON LLP
ONE BROADWAY
NEW YORK, NY 10004

EXAMINER

PIPALA, EDWARD J

ART UNIT

PAPER NUMBER

3663

MAIL DATE

DELIVERY MODE

06/22/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/534,107	Applicant(s) MATTES ET AL.	
	Examiner EDWARD PIPALA	Art Unit 3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is in response to Applicant's remarks of 3/16/09.

Claims 17-38 are presently pending.

Drawings

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because applicant has not submitted formal drawings including the corrections of the replacement sheets filed 5/6/05.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 17-38 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01.

Each of Applicant's independent claims 17, 24, 27, 34, 38 and 38, respectively, recite:

A method for controlling vehicle dynamics in a motor vehicle, comprising: recording, by at least one sensor, at least one measured value; controlling, by at least one actuator, vehicle dynamics as a function of the at least one measured value; and generating, by at least one image sensor system, image information from a motor-vehicle surround to control the vehicle dynamics, the at least one image sensor system including at least two image sensors to record a same scene.

Art Unit: 3663

A method for determining a motion of a motor vehicle, comprising: generating image information from at least one image sensor system, the image sensor system including at least two image sensors which record a same scene of a motor vehicle surround, the image sensor system being at least one stereo camera; and determining at least one of three-dimensional rotational motion of the motor vehicle, and three-dimensional translational motion of the motor vehicle, as a function of the image information.

A device for vehicle dynamics control in a motor vehicle, comprising: at least one sensor for recording at least one measured value; at least one actuator which is driven by a processing unit/control unit as a function of the at least one measured value for vehicle dynamics control; and at least one image sensor system including at least two image sensors, the at least two image sensors configured to record a same scene, the image sensor system generating image information from a motor vehicle surround.

A processing unit/control unit for controlling vehicle dynamics in a motor vehicle, comprising: an arrangement configured to process at least one measured value, which is recorded by at least one sensor, the measured value being used for vehicle dynamics control; an arrangement configured to control at least one actuator for vehicle dynamics control; and an arrangement configured to process image information from at least one image sensor system, the image sensor system including at least two image sensors which record same scene, the at least one image sensor system including at least one stereo camera.

A storage medium storing a computer program, the computer program, when executed by a computer, causing the computer to perform the steps of: processing at least one measured value, which is provided by at least one sensor, the measured value being used for vehicle dynamics control; controlling at least one actuator for vehicle dynamics control; and processing image information from at least one image sensor system, the image sensor system including at least two image sensors which record a same scene.

A sensor unit for a motor vehicle, comprising: at least two image sensors configured to record a same scene in a vehicle surround; an arrangement configured to generate image information regarding the vehicle surround area based on information from the at least two image sensors; and an arrangement configured to determine at least one of a rotational vector and a motion vector based on the generated image information.

However, Applicant appears to have omitted essential steps and/or elements which are essential to performing the claimed end result(s), given the steps and/or elements previously recited in the respective claims.

Response to Arguments

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWARD PIPALA whose telephone number is (571) 272-1360. The examiner can normally be reached on M-F 9:30 - 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edward Pipala/
Examiner, Art Unit 3663